



PATENT
Q190-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hiroyuki YUMOTO, et al.

Serial No: 10/652,118

Filed: August 28, 2003

For: NEGATIVE ELECTRODE FOR A
NONAQUEOUS BATTERY

Art Unit: 1745

Examiner: N/A

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

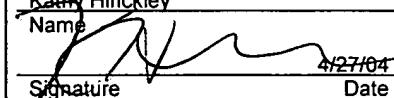
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450, on

April 27, 2004

Date of Deposit

Kathy Hinckley

Name


4/27/04
Signature Date

**TRANSMITTAL OF
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sirs:

- The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
- Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number ___. A copy of this petition is enclosed.

3. The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
- Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number ___. A copy of this petition is enclosed.

4. The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) [37 C.F.R. § 1.97(h)]. Further, applicants make no admission that all references presented here are prior art in relation to the present application.

5. If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921. **A copy of this petition is enclosed.**
6. A list of 5 reference(s) is in the enclosed Form PTO-1449.
 Pursuant to 37 C.F.R. § 1.98(d), a copy / copies of some of the listed reference(s) is / are not provided since it is / they are of record in parent application Serial No. filed , the benefit of the filing date of which is claimed herein under 35 U.S.C. § 120.

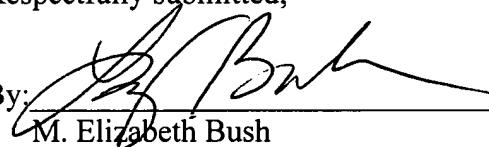
NON-ENGLISH LANGUAGE REFERENCES

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

[COMMENTS OF APPLICANT'S HOME COUNTRY COUNSEL]

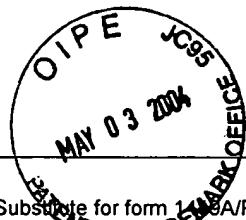
Respectfully submitted,

By:


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Registration No. 38,402
Patent Agent for Applicant(s)

Date: April 27, 2004

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<p>Substitute for form 149A/PTO INVENT & TRADEMARKS</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)</p>				<u>Complete if Known</u>	
				Application Number	10/652,118
				Filing Date	August 28, 2003
				First Named Inventor	Hiroyuki YUMOTO, et al.
				Art Unit	1745
				Examiner Name	N/A
Sheet	1	of	1	Attorney Docket number	
Q190-US1					

US PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published
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